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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/074,235	02/14/2002	Masamitsu Kojima	1207-93 6222		
23117	7590 10/27/2004		EXAMINER		
NIXON & VANDERHYE, PC			SCHWARTZ, CHRISTOPHER P		
1100 N GLEI 8TH FLOOR			ART UNIT	PAPER NUMBER	
ARLINGTON, VA 22201-4714			· 3683		
			DATE MAILED: 10/27/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)					
	Advisor: Action	10/074,235	KOJIMA ET AL.		;			
•	Advisory Action	Examiner	Art Unit					
		Christopher P. Schwartz	3683	N				
	The MAILING DATE of this communication appe	<u> </u>	1	ress				
There final r condit	REPLY FILED 07 October 2004 FAILS TO PLACE fore, further action by the applicant is required to a ejection under 37 CFR 1.113 may only be either: (1 tion for allowance; (2) a timely filed Notice of Appealination (RCE) in compliance with 37 CFR 1.114.	E THIS APPLICATION IN COND avoid abandonment of this applic 1) a timely filed amendment whi	DITION FOR ALLOV cation. A proper rep ich places the applic	VANCE. oly to a cation in				
	PERIOD FOR RE	EPLY [check either a) or b)]	`					
b) [event, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).	visory Action, or (2) the date set forth in th nan SIX MONTHS from the mailing date o FILED WITHIN TWO MONTHS OF THI	of the final rejection. E FINAL REJECTION. S	See MPEP				
have be 37 CFR (b) abov	tensions of time may be obtained under 37 CFR 1.136(a). The dat een filed is the date for purposes of determining the period of extens 3 1.17(a) is calculated from: (1) the expiration date of the shortened we, if checked. Any reply received by the Office later than three mo patent term adjustment. See 37 CFR 1.704(b).	nsion and the corresponding amount of the d statutory period for reply originally set in	e fee. The appropriate extention or (ension fee unde	in l			
1.🛛	A Notice of Appeal was filed on <u>14 October 2004</u> . A 37 CFR 1.192(a), or any extension thereof (37 CFR			forth in				
2.	The proposed amendment(s) will not be entered be	ecause:						
(a) \square they raise new issues that would require further	er consideration and/or search ((see NOTE below);					
(b) [] they raise the issue of new matter (see Note b	below);						
(C)	they are not deemed to place the application i issues for appeal; and/or	in better form for appeal by mat	erially reducing or s	implifying t	he			
(d	they present additional claims without cancel NOTE:	ling a corresponding number of	finally rejected clain	ns.				
3.	Applicant's reply has overcome the following reject	ction(s):						
4.	Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	l be allowable if submitted in a s	eparate, timely filed	d amendmer	nt			
5.	The a) affidavit, b) exhibit, or c) request for application in condition for allowance because:	or reconsideration has been cons	sidered but does NC	T place the	!			
6.	The affidavit or exhibit will NOT be considered becaused by the Examiner in the final rejection.	cause it is not directed SOLELY	' to issues which we	re newly				
7.🛛	7.⊠ For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.							
	The status of the claim(s) is (or will be) as follows:	:	•					
	Claim(s) allowed:			n	1			
	Claim(s) objected to:			\[\frac{1}{2}\]	Λ			
	Claim(s) rejected: <u>4-25</u> .			٨,	1			
	Claim(s) withdrawn from consideration:	•		\wedge \parallel .	X			
8.	The drawing correction filed on is a) _ app	proved or b) disapproved by	the Examiner.	\\\ \\ \\				
9.	Note the attached Information Disclosure Statemen	ent(s)(PTO-1449) Paper No(s).	· \ \\'	() W	1.			
10.⊠	Other: <u>See Continuation Sheet</u>		(hunter	OPHER P SCHMIN	RIL ER			
			CHHI P	HIM.				

Continuation of 10. Other: Claims 4-25 remain rejected over the prior art applied against the claims as outlined in the Final Rejection mailed April 14, 2004. The examiner maintains that the German reference '542 teaches unvulcanized silicone rubber, and, combined with the teaching of Knott (see col. 25) one of ordinary skill in the art would have found it obvious to have varied the plasticity of said rubber to the claimed range(s) dependent upon the performance of the damper desired.